

MEMORANDUM FOR:

~~DDCI~~



- Hold for

possible use at
future session

John -

Briggs mentioned to you this morning that I would have a contribution for your possible use with Judge Clark this evening. Here it is.



A/IG

w/ Judge Clark. Contrary to what John told, these sessions will be substantively oriented w/ce operational - to serve purpose of keeping USC advised of NFV3 - like topics -

DN Date 21 July 1982

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21 July 1982

John:

A thought for your meeting with Judge Clark.

In our IAD inspection we recommended that:

"The Director of Central Intelligence attempt to ensure that the NSC or a committee it designates annually reviews ongoing Covert Action and sensitive intelligence collection operations."

The DCI approved this recommendation in a memorandum to you as Executive Director on 12 February 1982.

The DCI said:

"Recommendation 2. Ensure that the annual Covert Action review and sensitive collection reviews are presented to NSPG."

The DDO (C/PCS) tasked C/IAD to . . . "schedule future reviews with the NSPG on an annual basis."

In a report to me on 16 June 1982 summarizing steps IAD has taken to implement this recommendation and others in the IAD inspection report approved by the DCI, [REDACTED]

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"The Director of Operations prepares annual sensitive collection and covert action reviews for presentation to the National Security Planning Group. Whether the reviews are actually conducted is at policy makers discretion. For example, in 1981 the Covert Action review was not presented, whereas the sensitive collection review was. Executive Order 12333 dropped the language requiring an annual review of Covert Action. The formal requirement for such a review is therefore terminated."

In my opinion the need for an annual review by policy makers, in addition to our in-house reviews, is very important. As we said in our IAD inspection report:

"The annual review requirement evolved as a result of long-standing criticism that once a covert action operation began there was no formal termination procedure. Some operations, on the strength of the original approval, expanded or changed character over the years. During its 1970s investigations, Congress was particularly critical of this shortcoming. Henry Kissinger, who as Assistant to

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the President for National Security Affairs played a major role in the covert action process at the time of the investigations, subsequently declared:

'The only change I made in the procedures I inherited was to require that each approved covert . . . operation be reviewed at least once a year by the 40 Committee (a predecessor of the SCC); this was to prevent its continuation by bureaucratic inertia after the need has passed.

'In fact, the principal procedural weakness in our covert operations was that while they were initiated with full foreign policy review they were not thereafter controlled with the same attention to detail by the highest levels in our government; there was no subgroup to monitor operations. The 40 Committee authorized but did not supervise.'" (The White House Years, p. 661)

I recommend that you and the DCI encourage Judge Clark to schedule and chair an annual CA review. This would ensure that he is aware of the totality of what we are up to in the CA world and that he and other senior policy makers continue to approve the direction and pace of each of our programs. Conscious policy makers' decision-making, not inertia, should drive CA programs.



Acting, Inspector General

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cc: ExDir